

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

Terrance Eugene Harley, #338391,)	C/A No. 4:13-912-DCN-TER
)	
Plaintiff,)	
)	
vs.)	ORDER
)	
South Carolina Department of Corrections;)	
Kirkland R&E Center;)	
Monica Wallace;)	
Timothy Riley, Warden, Tyger River Correctional)	
Institution,)	
)	
Defendants.)	
_____)	

This is a civil action filed by a state prisoner. Therefore, in the event that a limitations issue arises, Plaintiff shall have the benefit of the holding in *Houston v. Lack*, 487 U.S. 266, 272 (1988) (prisoner's pleading was filed at the moment of delivery to prison authorities for forwarding to district court). Under Local Civil Rule 73.02(B)(2) DSC, pretrial proceedings in this action have been referred to the assigned United States magistrate judge.

By orders dated June 28, 2013, and August 9, 2013, Plaintiff was given specific time frames in which to bring this case into proper form. Plaintiff has complied with the court's orders, and this case is now in proper form.

TO THE CLERK OF COURT:

This case is subject to summary dismissal based on an initial screening conducted pursuant to 28 U.S.C. § 1915 and/or 28 U.S.C. § 1915A. Therefore, the Clerk of Court shall ***not*** issue the summonses or forward this matter to the United States Marshal for service of process at this time.

IT IS SO ORDERED.

s/Thomas E. Rogers, III

Thomas E. Rogers, III
United States Magistrate Judge

September 5, 2013
Florence, South Carolina